

CONDITIONAL PETITION FOR EXTENSION OF TIME

If entry and consideration of the amendments above requires an extension of time, Applicants respectfully request that this be considered a petition therefor. The Commissioner is authorized to charge any fee(s) due in this connection to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fees, or credit any excess, to Deposit Account No. 14-1263.

REMARKS/ARGUMENTS

Applicants respectfully request reconsideration and allowance of this application in view of the amendments above and the following comments.

Claim 1 has been amended without prejudice to pursuing broader claims later to require two-component impression materials and that the two components be irradiated. These limitations find clear support throughout the specification, for example, point 1 on page 10, and the examples.

The other claims have been amended in what are believed to be minor manners clearly supported by the original specification.

Applicants do not believe that any of the amendments introduce new matter. An early notice to that effect is earnestly solicited.

Claims 2-4, 6, 9 and 13-15 were rejected under 35 USC § 112, second paragraph, as being indefinite. In response, Applicants have amended the claims in a manner which Applicants believe overcomes the Examiner's concerns.

With respect to claim 2, Applicants have made clear that the impression materials and/or their components comprise elastomeric impression materials comprise two components cross-linkable together.

With respect to claim 3, Applicants have made clear that the impression materials and/or

their components comprise silicone impression materials as recited or polyether impression materials as recited.

With respect to claim 4, Applicants have made clear that the impression materials and/or their components are impression materials having a powder component and a fluid component.

With respect to claim 6, Applicants have made clear that in addition to the impression materials and/or their components, an addition cross-linkable silicon impression material as recited is used.

With respect to claim 9, Applicants have made clear that the impression materials and/or their components are radiation treated. Applicants see no need for antecedent basis for this in claim 8 as the use of radiation treatment is not qualified by "the" or "said" or some other pronoun that would indicate a previous use of the term thus requiring antecedent basis.

Finally, claims 13-15 have been canceled without prejudice.

In view of the foregoing, Applicants respectfully submit that the claims are now definite. An early notice to that effect is earnestly solicited.

Claims 1-4, 8, 9, 11-15, 17 and 18 were rejected under 35 USC § 102(b) as being anticipated by Larson, US 5,540,876. In response, Applicants remind the Examiner that anticipation requires that each and every element as set forth in the claim must be found, either expressly or inherently described, in a single prior art reference, and, further, the absence in the prior art reference of even a single one of the claim elements is sufficient to negate anticipation. *In re Robertson*, 49 USPQ2d 1949, 1950-51 (Fed. Cir. 1999). Applicants respectfully submit that Larson's material is not elastomeric, as required by the present claims, but, rather,

thermoplastic. In this regard, Applicants point out that elasticity is a property of both elastomers and thermoplastics. Nevertheless, these materials are considered distinct materials to persons skilled in the art. Consequently, such persons would not view Larson's process as anticipating the instant claims.

Further, Applicants point out that Larson's material is not a two-component material, as also required by the instant claims. Therefore, even if Larson's material could be considered elastomeric, which Applicants submit it cannot, there still would be no anticipation as Larson's material is still not a two-component impression material and, therefore, Larson does not irradiate the two components of such two-component impression material.

Claims 1-5, 8, 9, 11-15, 17 and 18 were rejected under 35 USC § 102(b) as being anticipated by Olsen, US 4,952,618. In response, Applicants also respectfully submit that Olsen's material is also not an elastomeric impression material as required by the instant claims. Instead, Olsen's material is a pressure-sensitive adhesive intended to be used in wound dressing. The material is irradiated, but only to disinfect the material.

Further, as was the case with Larson, Olsen's material is not a two-component material, as also required by the instant claims. Therefore, even if Olsen's material could be considered elastomeric, which Applicants submit it cannot, there still would be no anticipation as Olsen's material is still not a two-component impression material and, therefore, Olsen does not irradiate the two components of such two-component impression material.

Claims 6, 7 and 16 were rejected under 35 USC § 103(a) as being obvious over Larson or Olsen in view of Amos, US 5,804,620. In response, Applicants point out that this rejection was

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dependent on Larson or Olsen anticipating the basic aspects of the present invention, which Applicants have shown above is not, in fact, the case. Indeed, Amos is relied upon by the Examiner to teach the use of polysiloxanes. However, the combination of Larson or Olsen with Amos still fails to teach or suggest a two-component impression material or the irradiation of the two components of such two-component impression material.

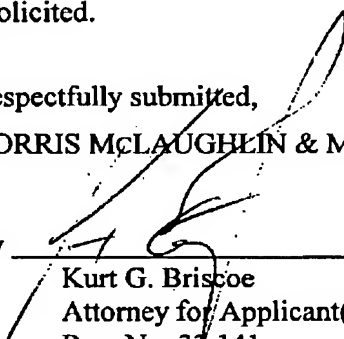
Applicants believe that the foregoing constitutes a bona fide response to all outstanding objections and rejections.

Applicants also believe that this application is in condition for immediate allowance. However, should any issue(s) of a minor nature remain, the Examiner is respectfully requested to telephone the undersigned at telephone number (212) 808-0700 so that the issue(s) might be promptly resolved.

Early and favorable action is earnestly solicited.

Respectfully submitted,
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USSN 10/600,773

Amendment under 37 CFR § 1.111 filed June 14, 2007